

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 1995-1192-E

In the Matter of:

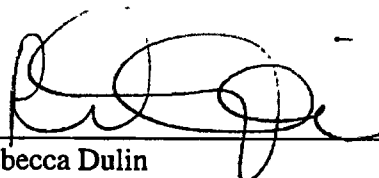
Proceeding for Approval of the Public
Utility Regulatory Policies Act of 1978
(PURPA) Avoided Cost Rates for
Electric Companies

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**MOTION FOR ADMISSION
PRO HAC VICE**

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC by and through undersigned counsel, respectfully move the Public Service Commission of South Carolina (the "Commission") to permit E. Brett Breitschwerdt to practice *pro hac vice* before the Commission in the above-referenced matter. Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Mr. Breitschwerdt has filed a Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court Office of Bar Admissions. A copy of his filing with the Supreme Court is attached.

Respectfully submitted,



Rebecca Dulin
Duke Energy Corporation
1201 Main Street, Suite 1180
Columbia, South Carolina 29205
Telephone: 803.988.7130
E-mail: Rebecca.dulin@duke-energy.com

*Attorney for Duke Energy Carolinas, LLC and Duke
Energy Progress, LLC.*

November 30, 2018
Columbia, South Carolina

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
UTILITIES COMMISSION**

DOCKET NO. 1995-1192-E

In the Matter of:

Proceeding for Approval of the Public
Utility Regulatory Policies Act of 1978
(PURPA) Avoided Cost Rates for
Electric Companies

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CERTIFICATE OF SERVICE

The undersigned, Rebecca J. Dulin, Esquire, does hereby certify that she has served the persons listed below with a copy of the **MOTION FOR ADMISSION PRO HAC VICE** in the above-captioned proceeding by dispatching a copy to them via U.S. Mail or electronic mail at the addresses listed below on November 30, 2018.

PARTIES SERVED:

Andrew M. Bateman, Counsel
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
abateman@regstaff.sc.gov

F. Timothy Lamb
BlueStone Energy Division, Inc.
851 BlueStone Wild Road
Banner Elk, NC 28601

Jeffrey M. Nelson, Counsel
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
jnelson@regstaff.sc.gov

K. Chad Burgess, Senior Counsel
South Carolinas Electric & Gas Company
MC C22
220 Operation Way
Cayce, SC 29033-3701
chad.burgess@scana.com



Rebecca Dulin
Duke Energy Corporation
1201 Main Street, Suite 1180
Columbia, SC 29205
Telephone: 803.988.7130
Email: Rebecca.Dulin@Duke-Energy.com

*Attorney for Duke Energy Carolinas, LLC
And Duke Energy Progress, LLC*

McGuireWoods LLP
434 Fayetteville Street
Suite 2600
PO Box 27507 (27611)
Raleigh, NC 27601
Phone: 919.755.6600
Fax: 919.755.6699
www.mcguirewoods.com
E. Brett Breitschwerdt
Direct: 919.755.6563

McGUIREWOODS

bbreitschwerdt@mcguirewoods.com

November 29, 2018

VIA Electronic Filing

South Carolina Supreme Court
Office of Bar Admissions
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201

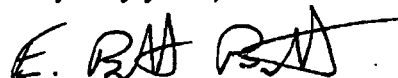
**Re: South Carolina Public Service Commission Docket No. 1995-1192-E
Application for Admission of Pro Hac Vice in the State of South Carolina**

To Whom It May Concern:

Please find enclosed my Verified Application for Admission *Pro Hac Vice* in the State of South Carolina. Also enclosed is the \$250 admission fee.

Please do not hesitate to call if you have any questions or need any additional information.

Very truly yours,



E. Brett Breitschwerdt

EBB:kma

Enclosure

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

<u>Duke Energy Carolinas, LLC and Duke Energy Progress, LLC</u>	<u>1995-1192-E</u>	<u>Public Service Commission of South Carolina</u>
Plaintiff	Case No.	Tribunal

vs.

	Mailing Address of Tribunal:
Defendant	<u>101 Executive Center Drive</u> <u>Suite 100</u> <u>Columbia SC 29210</u>

Comes now Edward B. Breitschwerdt, applicant herein, and respectfully represents the following:

1. Applicant resides at:
801 Historian Street

Street Address	<u>Wake</u>	<u>NC</u>	<u>27603</u>
<u>Raleigh</u>	County	State	Zip Code
<u>(919) 755-6563</u>			
Telephone			

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) McGuireWoods LLP, with offices at 434 Fayetteville Street, Suite 2600

Street Address	<u>Wake</u>	<u>NC</u>	<u>27601</u>
<u>Raleigh</u>	County	State	Zip Code
<u>(919) 755-6563</u>	<u>(828) 279-8726</u>	<u>(919) 755-6579</u>	<u>bbreitschwerdt@mcguirewoods.com</u>
Primary Telephone	Cell Phone	Fax Number	Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since March of 2010, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:

Court:	Date Admitted:

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

Affirmed

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Affirmed

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

Affirmed

9. Local counsel of record associated with applicant in this case is Rebecca Dulin
of the Duke Energy Corporation (not a law firm) law firm, which has offices at:

1201 Main Street, Suite 1180

Street Address

Columbia

City

Richland

County

SC

State

29205

Zip Code

rebecca.dulin@duke-energy.com

Email Address

(803) 988-7130

Primary Telephone

79934

South Carolina Bar Number

(803) 240-0801

Cell Phone

(803) 370-2339

Fax Number

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

Joint Application of Duke Energy Carolinas, LLC, Duke Energy Progress, LLC and South Carolina Electric & Gas Company for Approval of the Revised South Carolina Interconnection Standard

Case No.: 2015-362-E

Status: Proceeding remains open

Local Counsel: Charles A. Castle

Application Granted

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 29th day of November, 20 18

E. RA B. A.
APPLICANT

VERIFICATIONSTATE OF North Carolina)COUNTY OF Wake)

I, Edward B. Breitschwerdt, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

E. B. Breitschwerdt
APPLICANT/AFFIANT

Subscribed and sworn to before me this 29th day of November, 20 18

Teri Ann McCarty

Notary Public for the State of North Carolina

My Commission Expires: 1-10-2019

TERI ANN MCCARTY
NOTARY PUBLIC
WAKE COUNTY, N.C.
My Commission Expires 1-10-2019.

LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 29th day of November, 20 18

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 29th day of November, 20 18

E. B. Breitschwerdt
APPLICANT/AFFIANT

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

CHECK DATE
1/1/11

CHECK NO. 671839

Bank of America
Atlanta, GA

McGUIRE WOODS
GATEWAY PLAZA
800 EAST CANAL STREET
RICHMOND, VA 23219-2816
www.mcguirewoods.com

64-1278
611 GA

CHECK AMOUNT

*****250.00

VOID AFTER 180 DAYS

TWO HUNDRED FIFTY AND 00/100 Dollars

PAY
TO THE
ORDER
OF

SOUTH CAROLINA SUPREME COURT
Office of Bar Admissions
PO Box 11330
Columbia, SC 29211

TWO SIGNATURES REQUIRED IF OVER \$10,000.00

[Signature]

AUTHORIZED SIGNATURE

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

Breitschwendt Pro Hac Vice

Form 808-BG

Job No. 659357

The North Carolina State Bar

I, L. Thomas Lunsford, II, Secretary of the North Carolina State Bar,

do hereby certify that

Mr. Edward Breitschwerdt (Bar # 40667)

was licensed to practice law by the State of North Carolina on March 27, 2010.

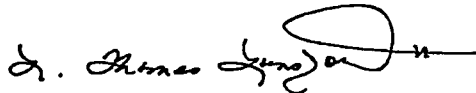
Said lawyer is presently an active member of the North Carolina State Bar and is eligible to practice law in North Carolina.

Said lawyer is not subject to a pending order of administrative or disciplinary suspension.

Said lawyer's financial account with the State Bar is current.

Therefore, said lawyer is in good standing with the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar,
this the 28th day of November, 2018.



L. Thomas Lunsford, II.
Secretary of the North Carolina State Bar